

REMARKS

By this amendment, Applicants amend claims 1, 3-9, 11-17, 19, and 20-40.

Claims 1-41 are pending in this application.

Applicants amend claims 1, 3-9, 11-17, 19, and 20-40 to more appropriately define the claimed subject matter, for consistency, and to correct informalities. These amendments do not add any new subject matter.

§103(a) Rejection of Claims 1-15 and 19-40 over *Saito* and *Lang*

Applicants respectfully traverse the rejection of claims 1-15 and 19-40 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,741,991 to Saito ("*Saito*") in view of U.S. Patent No. 5,191,611 to Lang ("*Lang*").

To establish a *prima facie* case of obviousness under §103(a), each of three requirements must be met. "First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art," to combine references or modify a reference. MPEP § 2143 (8th ed. Rev. Feb. 2003). Second, a reasonable expectation of success must exist that the proposed modification will work for the intended purpose. *Id.* Moreover, both of these requirements must "be found in the prior art, not in applicant's disclosure." *Id.* Third, the reference or references, taken alone or in combination, must disclose or suggest every element recited in the claims. *Id.*

Claims 1-15 and 19-40 are allowable over *Saito et al.* because *Saito et al.* does not teach or suggest each and every element of independent claim 1, from which claims 2-15 and 19 depend, or each and every element of independent claim 20, from which claims 21-40 depend. For example, *Saito et al.* fails to teach or suggest storing "a

content key encrypted with a first storage key, content data encrypted with the content key, and a second storage key,” as required by amended claims 1 and 20.

Saito et al. also does not teach or suggest “at the key management unit, decrypting the encrypted content key using the first storage key, the first storage key being stored in the key management unit,” as recited in amended claim 1 (emphasis added), or “a first decrypting means, in the key management unit, for decrypting the encrypted content key using the first storage key, the first storage key being stored in the key management unit,” as recited in amended claim 20 (emphasis added).

Lang appears to be silent on the matters of “a content key encrypted with a first storage key” and “content data encrypted with the content key,” as recited in claims 1 and 20, and the Examiner does not rely on *Lang* for any asserted teaching or suggestion of these limitations. *Lang* also appears to be silent on the matter of “decrypting the encrypted content key using the first storage key” in the key management unit, as required by claims 1 and 20, and the Examiner does not rely on *Lang* for any asserted teaching or suggestion of these limitations. Thus, claims 1-15 and 19-40 should be allowed over *Saito* and *Lang*.

§103(a) Rejection of Claims 16-18 and 41 over *Saito*, *Lang*, and *Takashima et al.*

Applicants respectfully traverse the rejection of claims 16-18 and 41 under 35 U.S.C. §103(a) as unpatentable over *Saito* in view of *Lang*, and further in view of U.S. Patent No. 5,701,343 to *Takashima et al.* (“*Takashima et al.*”).

Claims 16-18 and 41 are allowable over *Saito* and *Lang* for at least the reason that these claims depend from independent claims 1 and 20, respectively, which are allowable over *Saito* and *Lang* as explained above. *Takashima et al.* does not make up

for the deficiencies of *Saito* and *Lang* because *Takashima et al.* also fails to teach or suggest storing “a content key encrypted with a first storage key, content data encrypted with the content key, and a second storage key,” as required by claims 1 and 20.

Takashima et al. appears to be silent on the matter of “a content key encrypted with a first storage key” and “content data encrypted with the content key,” as recited in claims 1 and 20, and the Examiner does not rely on *Takashima et al.* for any asserted teaching or suggestion of these limitations.

Takashima et al. also appears to be silent on the matter of “decrypting the encrypted content key using the first storage key” in the key management unit, as required by claims 1 and 20, and the Examiner does not rely on *Takashima et al.* for any asserted teaching or suggestion of these limitations. Thus, claims 16-18 and 41 should be allowed over *Saito*, *Lang*, and *Takashima et al.*


In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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